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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,180	04/24/2001	Hiroynki Miyake	206347US3	2638

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EXAMINER

ENG, GEORGE

ART UNIT PAPER NUMBER

2643

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/840,180

Applicant(s)

MIYAKE, HIROYUKI

Examiner

George Eng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date see Office action.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statements filed 5/7/2002, 5/5/2003, and 2/27/2004 have been considered.

### ***Drawings***

2. The drawings were filed on 4/24/2001. These drawings are acceptable.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Imai (GB 2,337,857 as cited by Applicant).

Regarding claim 1, Applicant's admitted prior art figure 12 discloses a holder comprising a first component holding unit (20) for holding an image pickup device on a main surface of a board (4) and a second component holding unit (20) for holding another component on the main surface at a location different from a location of the first component holding unit. Applicant's admitted prior art differs from the claimed invention in not specifically teaching the first and

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second component holding units being formed as a single piece. However, Imai teaches a mounting structure for an electronic apparatus including a single holder mounted on a circuit board containing a plurality of holding portions, which each holding portion is for holding a particular electronic part. Thus, the mounting structure reduces the number of parts to be mounted to the circuit board and thereby enhances efficient assembly (abstract and page 3 line 9 through page 5 line 13). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Applicant's admitted prior art in forming the first and second component holding units as a single piece, as per teaching of Imai, because it reduces the number of holders and promoting efficiency assembly. Furthermore, it involves no invention to cast in one piece an article, which has formerly been cast in two pieces and put together, because it is merely a modification of the technique or knowledge know before the filing of the present application. In re Larson, 144 USPQ 347 (CCPA 1965), In re Lockhart, 90 USPQ 214 (CCPA 1951) and Howard v. Detroit Strove Works, 150 U.S. 164 (1893).

Regarding claims 2-4, Applicant's admitted prior art discloses the first component holding unit being designed to hold the image pickup device (1, figure 11) in a state being directly contacted to the main surface, which the first component holding unit is in a frame shape with upper and bottom surfaces opened for surrounding and holding a periphery of the image pickup device (figure 12 and page 1 lines 21-25).

Regarding claim 5, Applicant's admitted prior art discloses the second component holding unit for holding a receiver (3, figure 11) as well as Imai (figure 1 and page 4 lines 14-20).

Regarding claim 6, Imai teaches the second component holding unit for holding a display device (figure 1 and page 4 line 21 through page 5 line 2).

Regarding claim 7, Applicant's admitted prior art discloses the holder formed with resin by integral molding (figures 11-12), as well as Imai (figure 1).

Regarding claim 8, Applicant's admitted prior art discloses the holder for holding a variety of devices on a board within a portable telephone (page 1 lines 6-8), as well as Imai (figure 1 and page 3 lines 9-16).

### ***Conclusion***

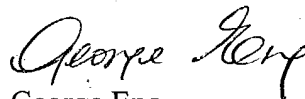
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nozawa et al. (US PAT. 6,339,508) discloses a portable telephone having a variety of components, i.e., a microphone, a loudspeaker, a display and a photo optical system, built in a housing (figure 24 and col. 18 line 53 through col. 19 line 15). Robb (US PAT. 6,177,950) discloses a personal communication device including a display, a microphone, a loudspeaker and an internal multi-position and multi-function reading head integrated in a single housing (figure 1A).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



George Eng  
Primary Examiner  
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